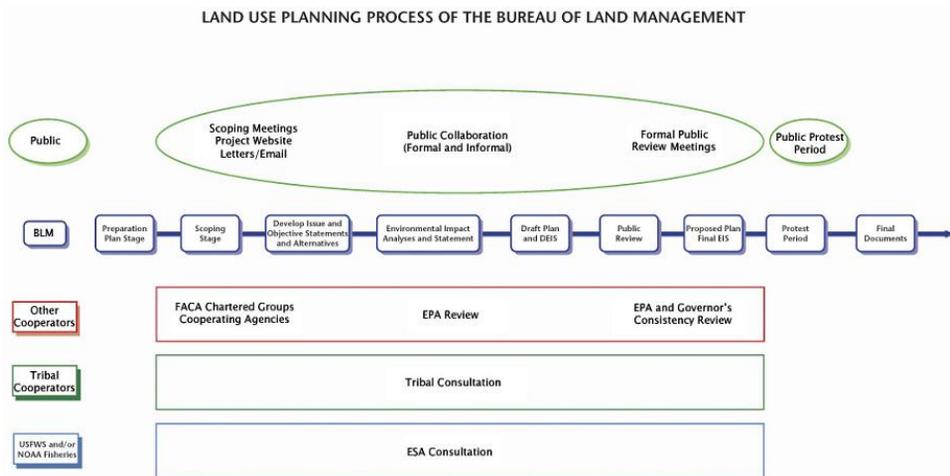
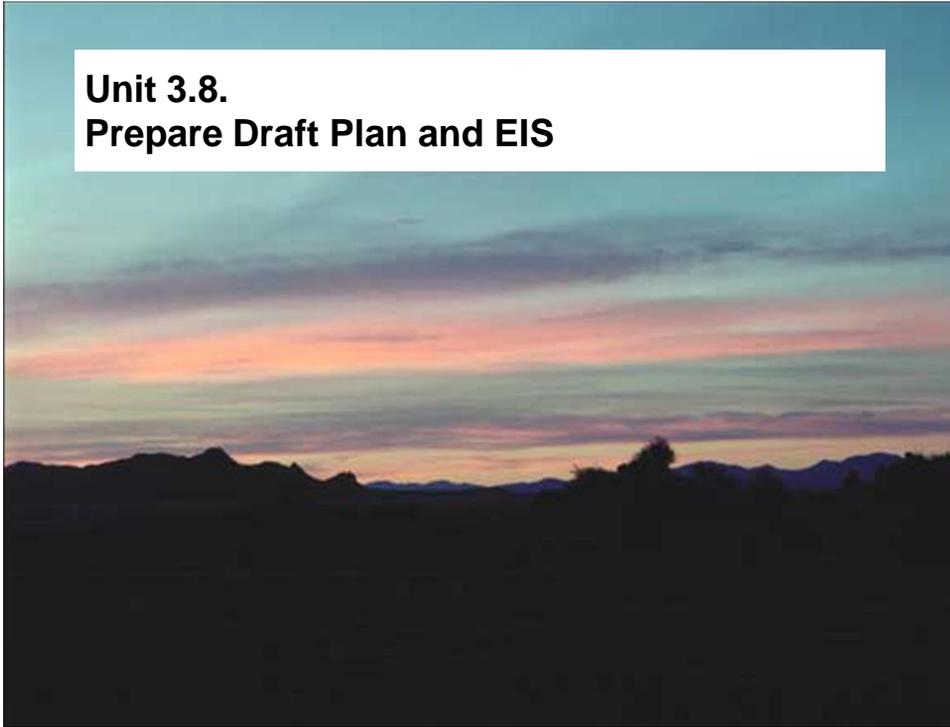


Unit 3.8. Prepare Draft Plan and EIS



3.7 - 31

Unit Objectives

- Select a defensible preferred alternative in a draft plan and EIS
- Outline a public review program for a land use plan and EIS that will effectively notify the interested stakeholders and public



3.8 - 1

Legal Requirements for Preferred Alternative

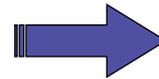
- NEPA requires identification of preferred alternative (if one exists) in Draft EIS
- BLM requires identification of preferred alternative in draft plan

CEQ NEPA regulations 40 CFR 1502.14(e); CEQ's Forty Questions 4(b)
BLM 1988 NEPA Handbook H-1790-1 V.C.3.f.(1) (page V-17)

3.8 - 2

Factors Used to Select Preferred Alternative

- FLPMA provisions
- NEPA requirements
- Other legal requirements (e.g., Section 7 of ESA)
- Purpose and Need/Planning criteria
- Relationship to planning goals and issue resolution
- Consistency requirements: tribes, state, and local governments
- Environmental impacts



3.8 - 3

Factors Used to Select Preferred Alternative (Cont.)

- Administrative policy initiatives
- BLM national strategies
- BLM State Director guidance and state vision
- Collaborator input



3.8 - 4

Internal BLM Process for Selection of Preferred Alternative

- Interdisciplinary team recommendation to Field Office Manager with rationale
- Field Office Manager recommends to State Director
- State Director approves selection

Note: Make the process transparent

3.8 - 5

Involving Collaborators in Preferred Alternative Selection

- Informal techniques: personal contact, newsletters, requests for input
- Formal techniques: facilitated stakeholder meetings

3.8 - 6

Exercise K. Identify a Preferred Alternative with Collaboration

- As a member of a small group, “play your role” as a part of the collaborative planning process, while also working with the larger group to achieve consensus. Focus on interests not positions. Look for ways to make trade-offs to get your highest priority needs met, while helping the other groups meet their needs as well.
- Stage 1: Caucus
- Stage 2: Preliminary Meeting
- Stage 3: Negotiation/Caucus
- Stage 4: Final Meeting

3.8 - 7



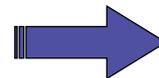
3.8 - 8



3.8 - 9

General Considerations in EIS Preparation

- Administrative record
- Emphasis on alternatives
- No post-hoc rationalization
- Interdisciplinary emphasis
- Tiering
- Incorporation by reference
- Special rules for incomplete, unavailable information
- “Hard look” doctrine



3.8 - 10

General Considerations in EIS Preparation (Cont.)

- Scientific methodology, accuracy
- Analytic emphasis
- Conciseness
- Writing style

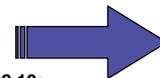


3.8 - 11

Content Requirements for Draft EIS

- Abstract
- Cover sheet or title page
- Dear reader letter
- Protest procedures (no protests until RMP/ROD adopted)
- Summary

BLM 1988 NEPA Handbook V.C.3; CEQ NEPA regulations 40 CFR 1502.10;
BLM Planning Handbook, Appendix F

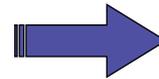


3.8 - 12

Content Requirements for EIS and Plan (Cont.)

- Table of contents
- Introduction (includes purpose and need, planning area, scoping issues, planning criteria, planning process, related plans, policy, overall vision)
- Alternatives (including those considered but not analyzed and also comparison tables)
- Affected environment (see definition of “human environment” and BLM plan resources)

BLM Planning Handbook, Appendix F



3.8 - 13

Content Requirements for EIS and Plan (Cont.)

- Environmental consequences (follows same format as affected environment)
- Consultation and coordination (collaborators, list of preparers)
- Appendices
- Glossary, References, Index, Abbreviations/Acronyms

BLM Planning Handbook, Appendix F

3.8 - 14

Internal Review of Draft Plan and EIS

- Definition and uses
- BLM must independently review consultant and partner products
- Review by partners/cooperating agencies: pros and cons
- FOIA issues
- Internal BLM review: State Office, Washington Office requires briefing
- Congressional delegation briefing

3.8 - 15

Document Format Issues

- Document format will be determined by ePlanning
- BLM RMPs integrate plan and EIS into 1 document
- Use clear and succinct writing style: develop style guide
- Use table, graphs, maps, white space, etc.
- Use technical appendices
- Plan decisions vs implementation decisions (Planning Handbook p 30)

3.8 - 16

Tips for Effective Executive Summaries

- Limit to 10-15 pages
- Use plain English
- Focus on significant effects and alternative comparison
- Use graphics and tables
- Use bullets
- Identify areas of controversy and unresolved issues
- Budget sufficient time and resources

3.8 - 17

Legal Requirements for Public Notice and Review of Draft Plan and EIS

- Who must receive notice
 - ◆ Federal agencies with jurisdiction/expertise,
 - ◆ Agencies requesting notice,
 - ◆ Tribes, state and local agencies
 - ◆ Public
- Draft EIS must be filed with EPA, which issues weekly Federal Register Notice

3.8 - 18

Legal Requirements for Public Notice and Review of Draft Plan and EIS (con't.)

- Methods of public notice
 - ◆ Federal Register
 - ◆ Press release
 - ◆ Local publications
- Requirement for public meeting
- Timeline: minimum 90-day review period
- Roles of BLM State Office and Washington Office
- FOIA language for privacy (Planning Handbook p 4)

CEQ NEPA Regulations 40 CFR 1506.6(c); IM 2007-057, IB 2007-108

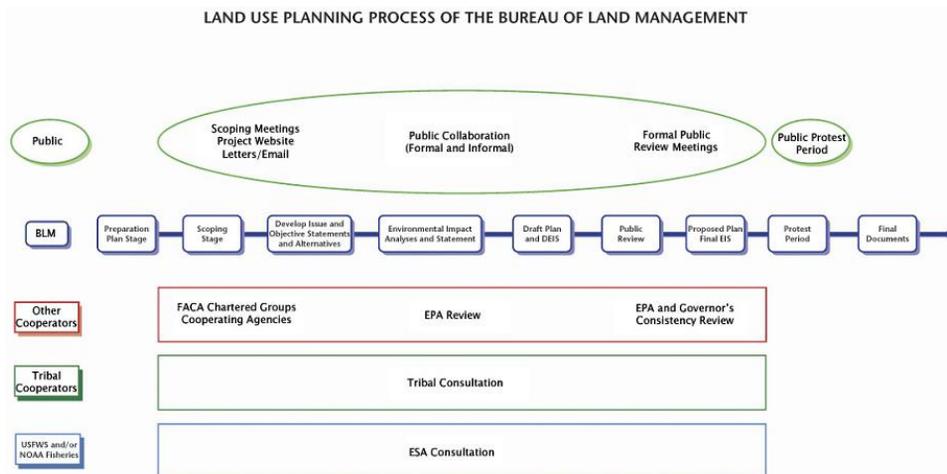
3.8 - 19

EPA Review of Draft EIS

- Impacts of Proposed Action
 - ◆ LO—lack of objection
 - ◆ EC—concern
 - ◆ EO—objections
 - ◆ EU—unsatisfactory
- EIS adequacy
 - ◆ 1—adequate
 - ◆ 2—insufficient information
 - ◆ 3—inadequate



3.8 - 20



3.8 - 21

Notes

- What I've learned so far...

- What I am going to do differently when I get back to my office...